

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY SIXTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE Dr. JUSTICE G.YETHIRAJULU

WRIT PETITION No. 15260 of 2004

Between:

Ch.Krishna Murthy, s/o Rama Rao,
r/o Mudunuruvari Street, Palakonda Post, Srikakulam District.

..... PETITIONER

AND

1. The Transmission Corporation of Andhra Pradesh Limited

rep., by its Chair Person and Managing Director,
Vidyut Soudha, Hyderabad.

2. The Chairman & Managing Director, A.P.E.P.D.C.L., Visakhapatnam.

3. The Superintending Engineer, Operation Circle, E.P.D.C.L.,
Srikakulam.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any appropriate writ, order or direction preferably a writ in the nature of writ of mandamus, declaring the action of the respondents in not considering the candidature of the petitioner to the post of Sub Engineer (Electrical) despite he being interviewed as being illegal, arbitrary and violative of orders of this Hon'ble Court made in C.C.No.1267/99 in WP No.1580/00 and consequently direct the respondents to consider the petitioner to the post of Sub Engineer (Electrical) created in the order issued by the 1st respondent in T.O.O.(CGM-HRD) Ms.No.262 (Personnel Services) dt.10-2-2004.

Counsel for the Petitioner: MR.M.VISWANADHAM

Counsel for the Respondents: MR.M.V.SUBBA RAO, SC FOR APEPDCL

The Court made the following:

-
-
-

ORDER:

-

The petitioner contends that he worked as a contract labour for a period of six years under a licensed contractor of the 1st respondent Corporation. He completed diploma in electrical engineering from Government Polytechnic, Srikakulam. The petitioner further contends that in pursuance of the earlier directions of this Court, he appeared for an interview on 20.06.1998 in terms of B.P.Ms.No.36, dated 18.05.1997 for the post of Junior Lineman and other equivalent post. The petitioner claims that he is eligible for the post of Sub Engineer by virtue of his educational qualification.

2. The grievance of the petitioner is that the 3rd respondent did not consider his candidature on some pretext or other. He was also interviewed by the 3rd respondent and an order was issued on 20.01.2000 mentioning that on verification of the certificates, produced by the petitioner at the time of interview on 20.06.1998, it was noticed that the service certificate has not been authorized by the A.P.Transco officials as clarified in A.P.Transco Memo No.Addl.Secy/DGM (IR) AS (IR) P.O.11/A1/1170/99, dated 03.12.1999. The petitioner is contending that such condition was not envisaged in B.P.Ms.No.36. Despite that, he obtained an authorization, immediately after the objection raised by the 3rd respondent.

3. The petitioner is contending that the Transmission Corporation issued an order, covered by T.O.O. (CGM-HRD) Ms.No.262, dated 10.02.2004, according sanction for formulating 11 new Rural Operation Stations in the Operation Circle of Srikakulam, and the respondents are proposing to recruit 11 Sub Engineers out of total 77 vacancies in all categories, and unless there is a direction from this Court, the 3rd respondent will not permit the petitioner to sit for the examination and to appear for the interview. Therefore, he approached this Court, seeking a direction to that effect.

4. In the light of the circumstances explained by the petitioner, the respondents

are directed to consider the request of the petitioner to sit for the examination in the ensuing recruitment for the post of Sub Engineer, if he is not otherwise disqualified.

5. The Writ Petition is, accordingly disposed of. No order as to costs.

dsr/rns

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To:

1. The Chair Person and Managing Director,
The Transmission Corporation of Andhra Pradesh Limited,
Vidyut Soudha, Hyderabad

2. The Chairman & Managing Director,
A.P.E.P.D.C.L., Visakhapatnam

3. The Superintending Engineer,
Operation Circle, E.P.D.C.L.,
Srikakulam

4. Two CD Copies